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PATENT

Attorney Docket 061525-5006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shirley Miekka *et al.*

Application No. 09/942,941

Filed: August 31, 2001

For: **Methods for Sterilizing Preparations  
Containing Albumin**

Group Art Unit: 2881

Examiner: Johnnie L. Smith

Date: July 24, 2006

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**TRANSMITTAL FORM**

- Transmitted herewith is a Response Under 37 C.F.R. 1.111 in response to the non-final Office Action dated February 22, 2006.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. This request is being filed under the next business day rule on Monday, July 24, 2006 as the due date for responding fell on a weekend (Saturday, July 22, 2006). Applicants petition for a two-month extension of time from May 22, 2006 to July 22, 2006, the fee for which is **\$225.00** as set out in 37 C.F.R. 1.17(a) for a small entity. If Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

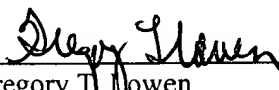
| CLAIMS AS AMENDED                              |           |       |                 |       |                |            |
|--|-----------|-------|-----------------|-------|----------------|------------|
|  | Remaining |       | Previously Paid | Extra | Rate           | Total Fees |
| Total Claims                                   | 77        | minus | 309             | 0     | \$50.00 each=  | 0.00       |
| Independent Claims                             | 6         | minus | 7               | 0     | \$200.00 each= | 0.00       |
| First presentation of Multiple dependent claim |           |       |                 |       | \$360.00       | 0.00       |
| Sub-total =                                    |           |       |                 |       |                | 0.00       |
| Reduction by 1/2 for filing by a small entity  |           |       |                 |       |                | 0.00       |
| Total Fee =                                    |           |       |                 |       |                | \$0.00     |

- Fee Payment: The Commissioner is hereby authorized to charge **\$225.00** to Deposit Account No. 50-0310 for payment of the two-month extension of time fee at the small entity rate.

5. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **July 24, 2006**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
\_\_\_\_\_  
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Attorney Docket 061525-5006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|---|-------------------------------|
| In re Application of: Shirley Miekka <i>et al.</i> | ) |                               |
|  | ) |                               |
| Application No. 09/942,941                         | ) | Group Art Unit: 2881          |
|  | ) |                               |
| Filed: August 31, 2001                             | ) | Examiner: Johnnie L. Smith II |
|  | ) |                               |
| For: Methods for Sterilizing Preparations          | ) |                               |
| Containing Albumin                                 | ) | Date: July 24, 2006           |

**RESPONSE UNDER 37 C.F.R. 1.111**

In reply to the Office Action dated February 22, 2006, the period of time for responding to which having been extended to July 22, 2006 by the filing of a two-month extension of time and authorization for fee payment, Applicants request reconsideration of the claims of the above-identified application in light of the following remarks. Because July 22 fell on a Saturday, this response is being timely filed on Monday, July 24, 2006 under the next-day business rule.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

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